

1 Introduced by Council Members Salem, Gay, Howland, Miller and White:

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4 **ORDINANCE 2024-46**

5 AN ORDINANCE AMENDING CHAPTER 106 (BUDGET AND
6 ACCOUNTING CODE), PART 4 (FISCAL MANAGEMENT),
7 SUBPART E (MISCELLANEOUS PROVISIONS), SECTION
8 106.441 (ACCEPTANCE OF GIFTS, DONATIONS, ETC.)
9 *ORDINANCE CODE*, TO LIMIT THE USE OF MONETARY AND
10 IN-KIND GIFTS OR DONATIONS FOR CAPITAL
11 IMPROVEMENT PROJECTS AND ANY OTHER PURPOSES
12 WITHOUT COUNCIL APPROPRIATION; AMENDING CHAPTER
13 113 (GIFTS TO CITY), *ORDINANCE CODE*, PART 1
14 (MAJOR MONETARY DONATIONS), SECTIONS 113.101
15 (SCOPE) AND 113.102 (ACCEPTANCE), AND PART 2
16 (NON-MAJOR MONETARY DONATIONS), SECTIONS
17 113.201 (SCOPE) AND 113.202 (ACCEPTANCE),
18 *ORDINANCE CODE*, TO INCLUDE IN-KIND DONATION OF
19 GOODS OR SERVICES AND REQUIRE CITY COUNCIL
20 APPROPRIATION; PROVIDING CODIFICATION
21 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

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23 **BE IT ORDAINED** by the Council of the City of Jacksonville:

24 **Section 1. Amending Part 4 of Chapter 106.** Chapter 106
25 (Budget and Accounting Code), Part 4 (Fiscal Management), Subpart E
26 (Miscellaneous provisions), Section 106.441 (Acceptance of Gifts,
27 Donations, Etc.), *Ordinance Code*, is amended in part as follows:

28 **CHAPTER 106. BUDGET AND ACCOUNTING CODE.**

29 * * *

30 **PART 4. FISCAL MANAGEMENT**

31 * * *

1 gifts, donations, in-kind services, etc., regardless of the amount,
2 shall be used to alter, demolish, relocate, transform or in any way
3 modify any City-owned or managed property, object, thing or anything
4 else of substance without prior Council approval and appropriation.
5 Non-monetary gifts, donations, etc. shall be assigned a fair market
6 value by the donor for purposes of the appropriation.

7 **Section 2. Amending Chapter 113 (Gifts to City), Part 1**
8 **(Major Monetary Donations) and Part 2 (Non-Major Monetary Donations),**
9 **Ordinance Code.** Chapter 113 (Gifts to City), Part 1 (Major Monetary
10 Donations), sections 113.101 (Scope) and 113.102 (Acceptance) and
11 Part 2 (Non-Major Monetary Donations), sections 113.201 (Scope) and
12 113.201 (Acceptance), *Ordinance Code*, are amended to read as follows:

13 **CHAPTER 113. GIFTS TO CITY**

14 **PART 1. MAJOR MONETARY AND IN-KIND DONATIONS.**

15 **Sec. 113.101. Scope.**

16 This part establishes procedures for the receipt of monetary
17 donations to the City which equal or exceed \$500,000 and in-kind
18 donations of goods or services for which the fair market value of the
19 goods or services at the time of donation exceed \$500,000. In-kind
20 donations shall include, but are not limited to, donations or use of
21 private funds or anything else of value to pay to perform or provide
22 goods or services on behalf of or for the benefit of the City.

23 **Sec. 113.102. Acceptance.**

24 All monetary donations to the City which equal or exceed
25 \$500,000, and any conditional terms related thereto, shall be accepted
26 by resolution of the Council, except when the nature of the
27 conditional terms would otherwise require their approval by
28 ordinance. Unless otherwise approved by ordinance, monetary donations
29 received under this part shall be deposited in and assigned to the
30 City's general fund. All in-kind donations, as defined in section
31 113.101, shall be accepted only through resolution of the Council,

1 except when the nature of the conditional terms would otherwise
2 require their approval by ordinance.

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4 **PART 2. NON-MAJOR MONETARY AND IN-KIND DONATIONS.**

5 **Sec. 113.201. Scope.**

6 This part establishes procedures for the receipt of monetary
7 donations to the City which are less than \$500,000 and in-kind
8 donations of goods or services for which the fair market value of the
9 goods or services at the time of donation are less than \$500,000.
10 In-kind donations shall include, but are not limited to, donations
11 or use of private funds or anything else of value to pay to perform
12 or provide goods or services on behalf of or for the benefit of the
13 City.

14 **Sec. 113.202. Acceptance.**

15 All monetary donations to the City which are less than \$500,000
16 and any conditional terms related thereto, shall be accepted by the
17 Mayor, except when the nature of the conditional terms would otherwise
18 require their approval by ordinance. Unless otherwise approved by
19 ordinance, monetary donations received under this part shall be
20 deposited in and assigned to the City's general fund. All in-kind
21 donations, as defined in section 113.201, shall be accepted only
22 through resolution of the Council, except when the nature of the
23 conditional terms would otherwise require their approval by
24 ordinance.

25 * * *

26 **Section 3. Codification Instructions.** The Codifier and the
27 Office of General Counsel are authorized to make all chapter and
28 division "table of contents" consistent with the changes set forth
29 herein. Such editorial changes and any other necessary to make the
30 *Ordinance Code* consistent with the intent of this legislation are
31 approved and directed herein, and the changes to the *Ordinance Code*

1 shall be made forthwith and when inconsistencies are discovered.

2 **Section 4. Effective Date.** This Ordinance shall become
3 effective upon signature by the Mayor or upon becoming effective
4 without the Mayor's signature.

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6 Form Approved:

7
8 /s/ Mary E. Staffopoulos

9 Office of General Counsel

10 Legislation Prepared By: Jason R. Teal

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